

CASE COUNTS AND WORKLOAD BY ATTORNEY

The Office of the State Public Defender (OPD) is not yet in the position to report specific caseloads and workloads by attorney because accurate data is not yet available. OPD has had a temporary case management system in place since July 2006, but there has been little uniformity in the entry of data and not all cases have been closed. Beginning in October 2007, an enhanced case management program is being launched throughout the state that will be accompanied with policies and procedures that will provide uniformity of data entry and direct that cases be closed in a consistent manner. OPD projects that by mid-November, it will be able to produce case counts for each attorney.

OPD believes that case counts are of limited value in determining the activity level of an attorney, and that workload is a more relevant indicator of activity level. Workload is difficult to quantify because it is impacted by the nature of the case, the number of counts in a case, the client (some clients are more difficult than others), the court, the prosecutor, and the job responsibilities other than cases. OPD continues to work on ways to accurately evaluate workloads and to date has enacted a policy which requires regional deputy public defenders as well as managing attorneys to routinely meet with their attorneys about their workloads. The policy suggests ways to handle workload issues and requires reporting excess caseloads to the Chief Public Defender and the Public Defender Commission.